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Attorneys for Chapter 11 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	CASE NO. 19-30166
	§	
SHOE SHIELDS LLC, et al.	§	CHAPTER 11
	§	
DEBTOR	§	Jointly Administered

OBJECTION TO PROOF OF CLAIM NO. 6 OF ROOF PROS DALLAS, INC.

30-Day Negative Notice – LBR 9007(c):

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242-1496 BEFORE CLOSE OF BUSINESS ON JUNE 10, 2019, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE BARBARA J. HOUSER, U.S. BANKRUPTCY JUDGE:

Christopher J. Moser, Chapter 11 Trustee ("Trustee") of the bankruptcy estate of Shoe Shields, LLC objects to Proof of Claim No. 6 filed by Roof Pros Dallas, Inc. as follows:

1. On May 7, 2019, Roof Pros of Dallas, Inc. ("Roof Pros") filed Proof of Claim No. 6 as a secured claim in the amount of \$2,080.00 and an unsecured claim in the amount of \$8,140.00. A true and correct copy of the claim is attached hereto as Exhibit "A".

2. Trustee objects to the claim for the reason that the \$2,080.00 security deposit constituting the secured portion of the claim has already been applied to the outstanding debt. Thus, it is not a secured claim under §506(a) of the Bankruptcy Code.

3. Trustee requests that Claim No. 6 be disallowed as a secured claim but allowed as a general unsecured claim in the amount of \$8,140.00.

WHEREFORE, PREMISES CONSIDERED Trustee prays that this Court enter an order disallowing the secured claim and that Trustee be granted such other and further relief to which he may be justly entitled.

Respectfully submitted,

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By: /s/ Christopher J. Moser

Christopher J. Moser

ATTORNEYS FOR TRUSTEE

TRUSTEE'S DECLARATION UNDER LOCAL BANKRUPTCY RULE 3007(a)(2)

I, Christopher J. Moser, the Chapter 11 Trustee in the above case, hereby declare under penalty of perjury that I have read the foregoing Objection and that the factual allegations made in such Objection are true and correct to the best of my knowledge, information and belief.

Date: May 10, 2019

/s/ Christopher J. Moser

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served by electronic transmission via the CM/ECF system upon all parties registered to receive electronic notice in this bankruptcy case, and via regular U.S. mail, postage prepaid, on the parties listed below this 10th day of May 2019:

Office of the U.S. Trustee
1100 Commerce Street, Room 976
Dallas, Texas 75242

Shoe Shields, LLC
4950 Keller Springs Road, Suite 420
P.O. Box 1123
Addison, Texas 75001

John Gitlin, Esq.
16901 Park Hill Drive
Dallas, Texas 75248

Roof Pros Dallas, Inc.
6247 Walnut Hill Lane
Dallas, Texas 75230
Attn: Nick Partain

Patrick J. Schurr, Esq.
Scheef & Stone
2601 Network Boulevard, Suite 102
Frisco, Texas 75034

Joyce W. Lindauer, Esq.
12720 Hillcrest Road, Suite 625
Dallas, Texas 75230

/s/ Christopher J. Moser